

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

SIMAAN, INC. and)	
SIMAAN MARKET STREET, LLC,)	
)	
Plaintiffs,)	
)	
v.)	1:03CV00127
)	
BP PRODUCTS NORTH AMERICA, INC. and)	
BP OIL AND EXPLORATION, INC.)	
)	
Defendants.)	
_____)	

ORDER

TILLEY, Chief Judge

For the reasons set forth in a contemporaneously filed Memorandum Opinion, Defendants' Second Motion for Summary Judgment [Doc. #111] is DENIED.

This the day of May 6, 2005

/s/ N. Carlton Tilley, Jr.
United States District Judge